

CWA Notice of Violations (NOVs)

Date: 5/28/2015

ROUTING AND TRANSMITTAL SLIP

TO: (Name, office symbol, room number, building, Agency/Post)	Initials	Date
1. Ammons	BA	5/28/15
2. Mattox (Tracking)		
3. Crump/Ellis/Horsey		6/2/15
4. Bush (OWLS)		6/10/15
5. Ellis		6/15/15
6. Diaz		6/22/15
7. White/Giattina		
8. White (Mailing/e-filing) / Mattox (Copy)		
9. Ammons		

Action	File	Note and Return
X Approval	For Clearance	Per Conversation
As Requested	For Correction	Prepare Reply
Circulate	For Your Information	See Me
Comment	Investigate	Signature
Coordination	Justify	

From: (Name, org. symbol, Agency/Post)

Ammons

Room No.—Bldg.

Phone No.

2-9769

DO NOT use this form as a RECORD of approvals, concurrences, disposals, clearances, and similar actions.

REMARKS:

Addressing Notice of Violation (NOV) for SSOs at City of Hollywood, FL after Show-Cause meeting (part of the Muni Infrastructure NEI).

Electronic Version Saved on:

T:\NPEB\Collection Systems\Enf-Comp\FL\Hollywood, FL\City of Hollywood FL NOV_ADDRESSED.docx

Contacted State Agency: Y/N Date: 6/4/15

Who at State: Jessica Klunfelter

Route in green folder

OPTIONAL FORM 41 (Rev. 1-94)
Prescribed by GSA
UNICOR FPI - SST



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

JUN 24 2015

CERTIFIED MAIL 7014 2870 0000 3318 0332
RETURN RECEIPT REQUESTED

City of Hollywood
Attn: Mr. Steve Joseph, P.E.
Director, Department of Public Utilities
P.O. Box 229045
Hollywood, Florida 33022-9045

Re: Notice of Violation
National Pollutant Discharge Elimination System Permit No.: FL0026255
City of Hollywood Southern Regional Wastewater Treatment Plant

Dear Mr. Joseph:

The purpose of this letter is to advise the City of Hollywood (City) that the United States Environmental Protection Agency Region 4 has reviewed information submitted by the City to the EPA on October 17, 2014, in response to the EPA's information request letter issued pursuant to Section 308 of the Clean Water Act (CWA), 33 U.S.C. § 1318. In addition, on May 22, 2015, the EPA held a Show Cause meeting with the City and the Florida Department of Environmental Protection (FDEP) to discuss discrepancies in the City's reporting of Sanitary Sewer Overflows (SSO) and the EPA and FDEP's Compliance Evaluation Inspection (CEI) of the City's Wastewater Collection and Transmission System (WCTS). The City submitted more information related to building backups via email on May 28, 2015.

Based upon review of all of the information submitted, the EPA has determined that the City has violated the CWA and its National Pollutant Discharge Elimination System (NPDES) permit as follows:

During the period of January 12, 2010, through December 31, 2014, the City had three (3) SSOs totaling at least 14,048,500 gallons of untreated sewage that discharged from the City's WCTS to navigable waters of the United States as defined by Section 502 of the CWA, 33 U.S.C. § 1362. Such SSOs were not authorized by the NPDES permit and are therefore violations of Section 301(a) of the CWA, 33 U.S.C. § 1311(a). In addition, the City had at least an additional fifteen (15) SSOs totaling at least 109,000 gallons of untreated sewage that was released from the WCTS and that did not reach navigable waters of the United States. All eighteen (18) SSOs are indicative of the City's violation of Section IX.7. of the City's NPDES Permit No.: FL0026255, which requires the City to properly operate and maintain its facility.


The EPA has decided not to initiate an enforcement action at this time. However, the City's future progress in developing and implementing written Maintenance Operation and Management (MOM)

programs, rehabilitation of the WCTS and progress towards eliminating SSOs will determine if future EPA enforcement actions are warranted. The EPA will monitor the City's progress in developing and implementing MOM programs and WCTS rehabilitation over the next two years.

Until compliance with the CWA is achieved, the City is considered to be in violation of the CWA and subject to enforcement action pursuant to Section 309 of the CWA, 33 U.S.C. § 1319. This Section provides for the issuance of administrative penalty and/or compliance orders and the initiation of civil and/or criminal actions.

If you have any questions regarding this Notice of Violation, please contact Mr. Brad Ammons of my staff at (404) 562-9769 or via email at ammons.brad@epa.gov. You may address written correspondence to Mr. Ammons at the above address on the letterhead.

Sincerely,


James D. Giattina
Director
Water Protection Division

cc: Ms. Jessica Kleinfelter
Florida Department of Environmental Protection

Ms. Diane Pupa
Florida Department of Environmental Protection
West Palm Beach